



January 20, 2017

**VIA ECFS**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street S.W.  
Washington, DC 20554

RE: Response To January 13, 2017 Ex Parte Submission Of The Wright Petitioners, Prison Policy Initiative, New Jersey Advocated For Immigrant Detainees and United Church of Christ, OC Inc. (collectively, the "ICS Advocates") in WC Docket No. 12-375 and GN Docket No. 13-111

Dear Ms. Dortch:

Legacy Inmate Communications (Legacy) hereby responds to the above-referenced *Ex Parte* Submission of the ICS Advocates ("Submission"). In the Submission, the ICS Advocates allege that several ICS providers, including Legacy Inmate Communications, "have imposed a rate structure for intrastate ICS calls that bear a remarkable similarity to the now-prohibited "connection fee" which was prohibited in the 2015 Second Report and Order, and memorialized in Section 64.6080 of the Commission's rules." The Submission includes a chart which purports to show the unlawful rates Legacy is charging at various correctional institutions. However, the chart is completely inaccurate. In fact, Legacy has never served any of those institutions and has never completed a single call from those locations.

In addition, Legacy strenuously denies the ICS Advocates' allegation that it continues to charge a connection fee in violation of FCC rules. In point of fact, Legacy is in complete compliance with all aspects of the FCC's inmate orders and does not collect a connection charge from any correctional institution it serves.

As to the specific facilities mentioned in the ICS Advocate's submission, Legacy has only recently signed a contract to provide service at the Yolo County Sheriff Department, which service is scheduled to commence February 1, 2017. At that time, the contract calls for the following rates to be in place: \$0.21 per minute for all domestic prepaid calls and \$0.25 per minute for all domestic collect calls, with NO connection fees at all.

With respect to the Somerville County Jail, Everett Police Department, Lindenwold Police Department and the Lancaster Police Department, Legacy has never served any of those facilities. Although a Legacy contracted agent, TIPS System (a Texas based company) did at one time (several years ago) request Legacy to provide service at some of these facilities

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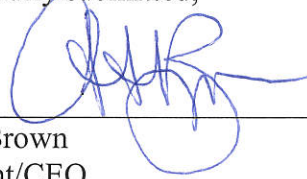
on its behalf, and they may have been listed on the Legacy website in error, Legacy never actually provided, and does not provide, service at those facilities.

Legacy strives to provide low, reasonable call rates to the families of the incarcerated. In fact, over 80% of its jails are on much lower rates than those designated by the relevant state regulatory authority. Legacy has always been, is, and will remain in full compliance with all applicable FCC orders.

In closing, Legacy strongly rebuts the claims put forth in the referenced submission and believes it to be, to use a timely phrase, "Fake News." Legacy is not aware of how the ICS Advocates conducted the research that led to the conclusions in its filings, but a simple phone call to any one of these facilities and/or Legacy would have confirmed that Legacy was not serving the identified institutions. At most, Legacy is guilty of not having its website purged of old data and/or updated data. Legacy has reached out to Drinkers Biddle & Reath requesting for the Ex Parte Submission be revised immediately. A copy of that request is attached.

Should you have any questions concerning this matter, please contact the undersigned.

Respectfully submitted,



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Curtis Brown  
President/CEO  
Legacy Inmate Communications

cc: Lee G Petro, Counsel for the Wright Petitioners  
Commissioner Mignon Clyburn  
Commissioner Ajit Pai  
Commissioner Michael O'Rielly  
Howard J. Symons, General Counsel  
Travis LeBlanc, Chief, Enforcement Bureau  
Matthew S. DelNero, Chief, Wireline Competition Bureau  
Ruth Milkman, Chief of Staff for Chairman Thomas Wheeler  
Lisa Hone, Legal Advisor to Chairman Thomas Wheeler  
Claude Aiken, Legal Advisor to Commissioner Clyburn  
Nicholas Degani, Legal Advisor to Commissioner Pai  
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Amy Bender, Legal Advisor to Commissioner O'Rielly  
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(All via electronic mail)